



DEC 30 2002

PATENT & TRADEMARK OFFICE

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS,

WASHINGTON, D.C. 20231,
ON DECEMBER 19, 2002

42A
AGENT/ATTORNEY FOR APPLICANT
DEC. 19, 2002

DATE

JAN 6 3 2003

TECH CENTER 1600/2600

RECEIVED

Attorney Docket No. B2368C4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hindley, et al.

Application No.: 08/458,033

Filed: June 1, 1995

Group No.: 1626

For: Novel Compounds

Examiner: Robert Gerstl

Commissioner for Patents

Washington, DC 20231

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321

Dear Sir,

Petitioner, Beecham Group P.L.C., of New Horizons Court, Brentford, Middlesex, England, represents that it is the assignee of all title and interest in the instant U.S. Patent Application No. 08/458,033 filed June 1, 1995 for "Novel Compounds," which is a continuation of U.S. Patent Application No. 08/358,327, filed December 19, 1994, which is a continuation of U.S. Patent Application No. 08/053,997, filed April 26, 1993, which is a continuation-in-part of U.S. Application No. 07/641,474, filed January 15, 1991, which is a continuation-in-part of U.S. Application No. 07/457,272, filed December 27, 1989, which is a continuation-in-part of U.S. Application No. 07/238,764, filed August 30, 1988. The assignment of this application 08/458,033 was recorded in the United States Patent and Trademark Office via the prior application 08/053,997 on July 9, 1993, Reel 6710/Frame 0340.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any terminal disclaimer, of prior U.S. Patent 6,288,095. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,288,095 are commonly owned.

This terminal disclaimer shall run with any patent granted on the instant application and shall be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the full statutory term as defined in 35 USC 154 to 156 and 173 of U.S. Patent No. 6,288,095, as shortened by any terminal disclaimer filed prior to its grant, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

This disclaimer shall not be effective against any patent term extensions obtained under 35 U.S.C. §156 for any patent granted on the instant application.

Please charge the \$110.00 fee required by this paper under 37 CFR §1.20(d) to Deposit Account Number 19-2570. Two copies of this paper are enclosed to facilitate processing.

Also, should the Commissioner determine that said fee is not sufficient to have this paper entered, the Commissioner is hereby authorized to charge any such fee that may be required by this paper or to credit any overpayment to said Deposit Account.

Respectfully submitted,



Loretta J. Henderson
Attorney for Applicants
Registration No. 37,347

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-6897
Facsimile (610) 270-5090
N:\Loretta\Applications\B's\B2368C4\terminal.doc